MOTHER EARTH

Vol. V MAY, 1910 No. 3

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Vol. V **MAY, 1910** **No. 3**

ANARCHY—Absence of government; disbelief in, and disregard of, invasion and authority based on coercion and force; a condition of society regulated by voluntary agreement instead of government.

FORS CLAVIGERA

MAY 1886—1910

Sweet height of Spring! thou bring'st to me
Thoughts timed but ill with linnet's song,
With breathing bud, with robing tree,
With evening sunshine ling'ring long.

Thoughts on a throng convened when airs
Of freedom, trill'd a witch, who charm'd
To sleep, with dreams that boon was theirs,
Though, wakeful, Pow'r drew nigh them, arm'd.

Fierce bound! mad flight, of course!—a breath:—
A bolt of bursting thunder, hurl'd
By hands unknown whose deed of death
The siren hush'd;—and woke the world.

That hour my soul espoused a cause
Which, like Pandora, call'd from hell
A swarm of ills, resolved as laws;
But with them she brought Hope as well!

That evil fortunes mate in May
Is told; but did this idle word
Portend, perchance, that festful day
When Wrong, matured, shall clasp—the Sword?

Hark! 'round our globe, the moan of hate
Epithalamium sounds once more!
The bells ring: and Key-bearing Fate
Stands, veil'd and mute, before the door!

C. L. JAMES.

OBSERVATIONS AND COMMENTS

THE First of May is THE holiday of the revolutionary proletariat. It represents the protest of awakened labor against industrial slavery and social injustice. It crystallizes the expression of intelligent dissatisfaction, the demand for better and higher things.

As such, the day is of tremendous significance. The voluntary stoppage of labor on that day is in itself a declaration of war, the bugle call to the exploited to form their ranks for the coming combat. The street demonstrations signify the springtime of awakened hope and life, the overflow of energies gathered in the long winter night.

Thus the First of May is labor's Declaration of Independence from all the forces of oppression, tyranny, and exploitation,—a declaration whose efficacy and ultimate success depend on labor's determined, uncompromising stand against the powers of darkness.

Unfortunately, the workers—especially those of America—have failed fully to grasp the revolutionary purpose of labor's great day. They have permitted themselves to be led—and, consequently, misled—by false and blind counsellors. Gradually the First of May has been shorn of its elemental meaning and force, and emasculated into an inane Sunday-best parade, by the grace of the very powers against whom the protest is directed.

The First of May, 1910, falling on a Sunday, the calendar was revolutionized to guard against the revolutionizing of the proletariat: the demonstrations, by order of the authorities, took place on the preceding Saturday, April 30th. This stupid pusillanimity of labor robbed the day of all its revolutionary significance, and merely served to demonstrate the *weakness* of the giant whose mission is the overthrow of the capitalist régime.

* * *

LEISURE is a lost art. Our mechanical age has hopelessly involved the simple business of life, has made it inextricably complicate and complex. We are so busy making a living we have no time to live.

The dance around the golden calf is strenuous and exhausting. Modern commercial and industrial conditions make even the mere gaining of a livelihood a matter of ceaseless effort. No leisure is left for thought or study. Serious reading, life's purest joy, is a luxury. The average man, in office or factory, reads practically nothing save the daily paper. The press thus naturally becomes his chief, if not sole, source of information on all matters of vital social interest.

Evidently, the press wields a tremendous power. It not merely voices, it directly shapes and moulds public opinion and sentiment. This it does, not only through editorial channels representing the publishers' and advertisers' interests; but even more by doctoring the news of day, giving undue prominence to certain features, minimizing and often entirely suppressing others.

With the press in capitalist hands, marshalling an army of editorial and news hirelings, a demoralized, ready-made public opinion is the result. The situation is fraught with the gravest danger. The more pronounced the social contrasts and economic inequalities, the more vicious the influence of the press. Unpopular ideas and their advocates are wilfully and persistently misrepresented, ridiculed, and suppressed, and the public mind systematically prejudiced in favor of things as they are. Among the chief sufferers of this corrupt situation is the labor movement, the hand of capitalism reaching even to the Associated Press—the very fountain-head of the world's information—falsifying and suppressing the truth in the struggle of capital and labor.

The public school, the college, the pulpit,—all are being vitiated by the malignant influence of capitalist power. But none of them exercises as evil a spell over the social consciousness as a perverted press.

* * *

THE most disgusting of all forms of hypocrisy is that which is obvious. To try to deceive is hypocritical; but to write that which the writer knows that his readers do not believe is nauseating.

The editorials, fake telegrams, and descriptive articles written on the death of one Edward, late parasite-in-chief of the British Empire, are the most sickening thing we have seen in a long time, and that is saying a good deal. To show "our grief" we use miles of flag and bunting, speech and article, and—last but not least—the cablegram, thus "proving" our love for the kinsmen beyond the sea over the loss of as great a libertine as modern times can show. "President Taft sends Queen Nation's sympathy,"—which means nothing more or less than that "our President" has cabled a wilful lie. There surely is not a single individual in these United States, above the reasoning power of an infant, but knows that the nation does not care one iota whether Edward or George sits on the British throne. The sycophancy of the ruling classes over the death of this libertine and parasite is so disgusting, one wonders with Thomas Paine "whether they have lost all sense of honor or ever had any to lose."

* * *

NO words could so forcibly characterize the dominance of greed—the cheapness of the workman's life and the criminal negligence of the employers—as the accident report just issued by the National Association of Manufacturers. According to the conservative statistics gathered by the Association, over *five hundred thousand* workingmen were injured in the United States during the last year.

Staggering as these figures are, their sinister meaning is emphasized by the admission that this awful number of accidents was due entirely to *preventable* causes. "Preventable causes" euphoniously covers a multitude of capitalist sins. We are informed by the Association report that "ninety-nine per cent. of the employers have this subject deeply at heart, and it will be thoroughly considered" at the coming annual convention of the Manufacturers' Association.

Certainly, it is very laudable on the part of the employers to give their serious attention to this important question of preventing accidents to their employees. Without any covert intention of minimizing the much-talked-of risks of the manufacturers, we make bold casually to mention the circumstance that some risk is *also* in-

volved in the *production* of wealth by means of the capital "risked" by the employer. Mere incident though this be, the fact is neither an invention of the Anarchist nor a discovery of the Manufacturers' Association. The question naturally arises, Were the employers heretofore ignorant of it? If not, whence this sudden humanitarian awakening?

Some light on this question is thrown by the President of the Association, Mr. John Kirby, Jr. "Practically every large manufacturer," he assures us, "has joined in the movement. The question of appliances for preventing accidents to workmen and accident indemnity are at present receiving more attention than any other issues in the field of industry. They are questions of vital importance to our members from an economic as well as humanitarian standpoint."

We may safely ignore the humanitarianism of the employer toward his employee. Its quality is too evident in practice to require restatement. But the *economic* consideration is important indeed. The growing public sentiment in favor of employers' liability has evidently appealed to Mammon's most sensitive spot,—the pocket.

No intelligent worker will be misled by this sudden altruism, calcium-lighted by the dark lantern of capitalist benevolence. The tender care of the worker on the part of the capitalist can be measured exactly by dollars and cents, to be coined from the producers' blood and bone. Self-respecting labor scoffs at the philanthrophy of hypocrisy. The Man with the Hoe will straighten his back when his benevolent rider is thrown off, and not before.

* * *

OCCASIONALLY even a governmentalist may catch a glimpse of the light. Of course, it is not always practical or politic, especially for a District Attorney, to speak the truth. But sometimes it is hard to suppress. Thus, in an unguarded moment, the official defender of the accumulated stupidity of the ages, called law, permitted himself the luxury of a wider vision. What he said is nothing new to those that dare to think. But such a public confession on the part of the District Attorney of New York is a noteworthy sign of the times. Said he, in reference to crime:

"Some of the noblest acts of history have been crimes. There is nothing necessarily wrong about a crime. Crime is the violation of a written criminal statute. That's all. A statute may be vicious. It may prohibit something which it is perfectly right to do. The people who participated in the Boston Tea Party were guilty of grand larceny. The Minute Men who at Concord Bridge fired the shot heard round the world were criminals. Those who assisted the slaves by means of the underground railroad were guilty of a felony."

But can an honest man hold such views and still continue to send to death or prison violators of laws "prohibiting something which it is perfectly right to do"?

* * *

THE tenth annual convention of the Workmen's Circle closed after a five days' session. The convention has earned congratulations on the work accomplished, which was mostly of an eminently progressive character. It is bound to have a salutary effect upon the further life and growth of the Circle.

The truest friendship expresses itself not merely in laudation, but perhaps even more in sincere criticism. We would therefore suggest to all friends of the Circle that a spirit of the broadest tolerance is the very foundation of a progressive movement. The Circle should discourage an intolerant attitude towards its well-meaning critics. Partiality, financial and otherwise, toward those who praise us indiscriminately, in and out of season, means opening the doors to favoritism. To be just to all, partial to none, must be the motto of every earnest endeavor, by individual or organization.

In this connection it is well for the Circle to remember that it is a non-political body. It is equally incorrect to label it Socialist or Anarchist. The Circle is a mutual-help organization, welcoming into its midst all earnest men and women who strive for the abolition of wage slavery, *irrespective of political faith and affiliation.* For the Circle, or its convention, to presume to prescribe or proscribe certain political activities to its members or delegates, were an unpardonable usurpation of authority, contrary to the very purpose of the Circle's existence.

This has been the spirit in which the Circle was born

and reared. Some mistakes have been made. We have offended, now and then, against the beneficent spirit of justice and tolerance. But may we in future jealously guard the genius of liberty, that our light may grow into great fires pointing the way of labor's emancipation.

* * *

THE intellectual level of a country or nation is best judged by the things which arouse a people's greatest interest and enthusiasm.

Ancient Athens went into raptures over her philosophers, poets, and singers. The glory that was Greece is still with us. Rome deified her Cæsars, and was swallowed up by the despised barbarians. Mediaeval Europe was inspired by her mystics and reformers. Hence the Reformation. In modern Europe enthusiasm waxes over art or poetry, constitutions and revolutions, financial budgets and political rights. But greater than all is our own sweet land of liberty, the home of the brave, where an eighty-million headed nation rises as one man to the Olympian heights of California to witness the most momentous event of the centuries: the Jeffries-Johnson fisticuffs.

* * *

MR. KEIR HARDIE has called the attention of the Parliament to the prevalence in India of the practice of torturing untried prisoners, for the purpose of extorting evidence from them.

Though the British Penal Code of 1860, which contains the existing criminal law of India, expressly forbids torture of prisoners, the practice seems to be quite general in India. We read in the report of the Police Commission appointed by Lord Curzon about five years ago: "Though physical torture which leaves external marks is rare, moral pressure, often of the most serious character, leaving no marks of physical violence, but amounting to very effective torture, is quite common."

The practice of torturing prisoners is so widespread in India that the judicial tribunals often set aside the confessions of prisoners on the ground that they were probably extorted by physical or moral agony.

One of the most hideous cases of torture came to light recently as a result of an official investigation. A woman

was sentenced to death for the murder of her husband, although she declared that the confession was wrung from her by terrible torture. According to the sworn testimony of the prison surgeon, he found the woman "terribly inflamed and ulcerated, a condition which, in my opinion, could only have been caused by an assault similar to that described by the prisoner." The assault so described was that the police tied a rope round her feet, suspended her from a rafter of the roof, and then tortured her by means of red pepper in a manner which cannot be quoted here.

Is it surprising, under these conditions, that England's cruel rule in India has lately been tempered by assassination?

THE KING

By HARRY WEIR BOLAND.

Bury him, then, face downward in the dust,
And o'er his grave may lizards creep, may all
Vile spineless things which on the earth do crawl
Thrive on his marrow while corroding rust
Eats his faint heart that knew not Self to trust,
And may his honeyed spirit turn to gall;
May Terror, which has held him in its thrall,
Pursue him till in deep hell he is thrust.

Faith lit his pathway with her loveliness;
Fair Hope's voice called him from his barren fen;
Love vainly strove to lure him with her grace.
His lips forever framed a thoughtless yes
When Tyranny enslaved the minds of men,
And Courage looked on his averted face.

THE FIRST OF MAY

BY H. KELLY.

> The workingmen who march today, or who come together in meetings, will gain all those things to which they aspire just as soon as they make an equally effective demonstration at the ballot box.—N. Y. *Call*, April 30, 1910.

IT IS twenty-one years since the resolution, proposed by a Knights of Labor delegate to the International Socialist Congress at Paris, that May First be set aside as a day when labor all over the world should show its solidarity, was adopted. Proposed and accepted as labor's declaration of independence, it was a revolutionary step; at least it was so recognized by the Anarchists and, we believe, by a very large section of the general labor movement.

That the workers must win their freedom from capitalism and wage slavery on the economic battlefield, instead of the political, is a truism. And yet, owing to the false prophets of Socialism, a large section of the workers are hoodwinked into believing that the contrary is the case. Men capable of reasoning logically on matters pertaining to man's other activities, reason like children when discussing the efficacy of putting pieces of paper into ballot boxes. It matters not that we live ten years after the time promised by Marx as the date when the bourgeoisie shall have disappeared, and that they are with us in increased numbers. With the pontiffs of Socialism it is merely a pleasure deferred, and the facts and figures of daily life are denied with a vigor worthy of a better cause. To call attention to the fact that the Standard Oil Co. had half a million shareholders and shares, just prior to the panic, selling at $750 each, has no effect on this type of mind. Blinded by Rockefeller's millions, the Social Democrat refuses to admit that a man holding a share of stock valued at $750, paying high dividends, is a capitalist and exploiter. He says that the trusts are crushing the middle class out of existence and, the Standard Oil Co. being a trust, it cannot manufacture exploiters; it must destroy them. To admit otherwise is "agin his principles."

The department store is another superstition with him.

He points with pardonable pride to it as a proof of that wonderful discovery of Marx which ranks the latter with Darwin. That the said department store is a series of small shops under one roof and owned by a large number of shareholders, all parasites plundering the people proportionately to the number of shares held, is lost on him similarly with his belief in politics. In fact, the Social Democratic theory of politics and that of the concentration of capital stand and will fall together. If the middle class were being squeezed out and dropped into the ranks of the workers, they would in all probability augment the working class vote; if not, they would swell the capitalist vote. The latter is what they are doing, and while the poitical Socialists deny this fact, their principles have grown so emasculated as to become more and more acceptable to the bourgeoisie.

1—Home rule for the city.
2—Initiative and referendum.
3—Better schools.
4—Municipal ownership.
5—Penny lunches.
6—Street car company to sprinkle streets.
7—Trade union conditions of labor.
8—A seat for every passenger in the street cars, lifting jacks, automatic brakes, and fenders.
9—Three cent street car fare.
10—Eight hour day for labor.
11—Cheaper gas.
12—Cheaper ice by means of municipal plant.
13—Cheaper coal and wood by means of municipal coal and wood yards.
14—Cheaper and better light, and more of it, by means of municipal plant.
15—Corporations to pay their full share of taxes.
16—Clean street cars. Glasgow cleans and disinfects cars every day, it is pointed out.
17—Street closets and comfort stations.
18—Work for the unemployed at union wages and eight hour days.
19—Widows who do washing for support of families to have water rates remitted by city.
20—Cheap bread, by requiring standard weight in every loaf.

Not one of the above reforms, promised by the new Social Democratic administration at Milwaukee, is objectionable to the bourgeoisie as a class. Of course we know that many of these reforms will not even be attempted, as for instance, Home Rule for the city and Initiative and Referendum are matters determined by the State government; while the reforms promised in the street car service, such as three cent fares, are mere talk, since the company has its franchise from the State, granted for some fifty years. "Comrades must not expect the impossible of us," says Mayor Seidel. "We feel sure the intelligent ones will not." Victor Berger, the most reactionary force in the American Socialist movement, is in the saddle at Milwaukee, and the very most that may be expected is an honest attempt to conduct the affairs of the city along constitutional, i. e. bourgeois lines. It may be urged that an honest official is better than a dishonest one. Yes, but what of the "class war," the "working class kept down to the point of mere subsistence"? If these theories are true, of what value to the starved and stunted wage slave and the "jobless worker" are these so-called reforms. It cannot be urged too strongly that it is no part of the Anarchist or Socialist to administer bourgeois government more efficiently. It is their business to destroy capitalism, and on the ruins of that system found the Free Commune or Socialist Commonwealth. With Mayor Gaynor at the head of the New York City government, the city bids fair to have the best administration in its history; but the bread line is still with us, and the capitalist's right to exploit his wage slaves is still unquestioned. Politics will not, because it cannot, touch fundamental questions, and if the "Milwaukee Victory" were duplicated in every city in America, the capitalist question would remain unsolved, *unless* the exploited themselves rose in revolt against their oppressors and took possession of the land, railways, factories, etc.

In due time the "Milwaukee Victory" will become a legend like the "three million Socialists in Germany," and—like all legends—interesting as such, but disappointing when tested in the furnace of fact. After "Comrade" Seidel and the Socialist administration have become a part of Milwaukee history, our query will be in regard to the "three million Socialists," What have they done? We

have been asking that about the German Social Democratic party for some years, and the answer has invariably been: "Well, we are in the minority yet, but when we are in the majority——"

Socialists all over the world will be interested in one reform Mayor Seidel inaugurated immediately after assuming office. He *increased* the hours of labor for municipal employees from six to eight a day. Every capitalist paper in the country has applauded this "Socialist reform," as well they might, for this is "efficiency in government" with a vengeance, and has no doubt brought the Co-operative Commonwealth several laps nearer. True to the party platform, which calls for eight hours a day even when it means increasing the hours instead of decreasing them.

Hard on the news of Milwaukee comes the announcement that Karl Kautsky, "scientific theorist," as the press calls him, has considerable hopes the German Social Democrats will double their vote at the next election and gain a majority over all parties in the Reichstag. He supplements this hope with another, that the party will not jeopardize their chances by acting rashly and advocating a general strike. We have no fear of such a thing happening. There are too many reactionary forces in the party, on the one hand, and too large and varied a membership on the other. If we thought for a moment there was the slightest possibility of such a victory (?) at the polls, we would join our prayers to Kautsky's against that rashness (?) of a general strike, that the world might witness on a gigantic scale the impotence of voting. Nothing short of such a miracle will convince some people. Kautsky in his "Social Revolution and the Day After" is careful to distinguish between "scientific Socialism" and "Utopian Socialism," the latter being "the day after," which is mere prophecy. His *hopes* of victory belong to "Utopian Socialism," and should not be taken more seriously than Upton Sinclair's dream of a national Socialist victory in America in 1912. It were easy to extend the date and still maintain a reputation as a prophet.

It is now about a year since the Social Democrats fulminated against Briand for forming a "Capitalist Ministry" in France; traitor was a mild term for him. The

fulminations were due to the fact that he had gone back on his principles and was lending himself to a perpetuation of capitalism, in so far as that is possible with a system doomed to death in accordance with Marx's theory. We had occasion to point out then, and repeat it now, that in so far as he lent himself to the upholding of the present system, by enforcing laws defending private property, he was not one whit different from any elected official. We have not heard that the man or woman out of employment through no fault of their own is immune from punishment for expropriating the necessaries of life in cities governed by Socialists. We "do not expect the impossible" from Comrade Seidel at Milwaukee, and we are sure that private property will be defended with as much zeal and vigor against the starving man or woman as in a stronghold of capitalism. To assert they must govern according to the laws or, as Victor Berger would say, "to an antiquated charter," is begging the question. No one forced M. Millerand to order out troops to shoot down strikers; no one forced M. Briand to form a "Capitalist Ministry," and no one forces "Comrade" Seidel to assume an office wherein he will be compelled to defend capitalist institutions, which he began doing the moment he assumed office. Of course, Socialism is inevitable (?), and to assert that the individual plays any part in the history of man is to indulge in "hero worship," a form of heresy against "Scientific Socialism." We are of the opinion that the club of "Comrade" Seidel's policeman will be found as hard as M. Lepine's, and sweat shops, slum dwellings, unemployment, and all the evils attendant on capitalism will be equally abhorrent to the victims whether the government be called Socialist or Capitalist.

There are two ways of breaking down the present system, and two only. One, by active revolutionary opposition; the other, by refusing to co-operate in any way whatsoever with the governing classes or their supporters. The latter is only a theory; but, while it has never been tested to the limit, as a theory it seems inpregnable. The former has been tested on many a battlefield, and when the fulcrum is great enough, existing governments or institutions fall.

This brings us back to the First of May, and our re-

cent epoch-making general strike at Philadelphia. Many bourgeois writers have tried to picture the struggle as a failure, and now comes that erstwhile "Anarch of Art," Mr. James Huneker, to prove that the general strike is impossible and the Philadelphia affair a fiasco. Reviewing the book called "La Vague Rouge" (the Red Wave), by J. H. Rosny, Sr., in a two column article in the N. Y. *Sun* of April 27th, our art critic proves to his entire satisfaction that the general strike is a hopeless, impracticable dream and a pernicious idea causing "discomfort, misery, crime, etc." Says our art critic, turned sociologist for the nonce: "We hope to see slain some day that silliest of superstitions, the general strike." To those who would glean in unfamiliar fields we would say, Beware of the ditches and pitfalls. For the benefit of amateur sociologists like Mr. Huneker, we would say: First, the Philadelphia strike was *not* a general strike; it was a sympathetic strike of various trades of one city to obtain certain concessions for the members of one union It had no definite revolutionary aim, but was a spontaneous outburst of sympathy of labor for members of a downtrodden trade, and, as such, it was magnificent. Second, far from being a failure it was a brilliant, scintillating success, as was pointed out in MOTHER EARTH for April, in an article by Voltairine de Cleyre, from which we quote: "Six different companies in as many cities have raised the trolley men's wages since this strike." To those who, like our art critic, are in receipt of comfortable incomes, the loss of ten or a dozen lives may seem too high a price to pay for a mere rise in wages; but who can tell how many lives have been saved by this mere raising of wages in six cities as the result of a strike in one, or how many years have been added to the trolley men's lives by the increased comforts obtained. The Socialist administration of Milwaukee has, as the first fruits of a twenty-five year agitation, *raised the hours of labor,* while the strike of Philadelphia *raised wages.* The general strike, purely as an idea, has inspired millions of working people all over the world to resist oppression and has wrung concessions from exploiters everywhere. It is a great inspirational force, not only for the direct tangible benefits it has won, but as a great moral neutralizer of the poisonous and fatally noxious influence of

politics in the revolutionary movement throughout the world. Slowly but surely the idea of the First of May spreads, an idea which spells solidarity of labor and the direct, conscious revolutionary defy of the exploiter. We do not claim the workingman is turning from politics; we do not know. But we *do* say that side by side with this flirting with old superstitions there grows a revolutionary spirit of which the Philadelphia strike stands forth as a beacon light. The First of May is but a symbol, the germinating of spring, the awakening of labor. The emancipation of labor which it portends will come because labor is becoming conscious of its strength and its rights. Emancipation is its goal; Direct Action its method. That is the real significance of the First of May.

MY CREED

By MAGAR THORNE.

I HAD never taken the trouble to formulate a creed, having for creed the rejection of all creeds—until one night it was presented to me in a dream, and I found it was quite simple. In this dream I saw a diabolic face which changed shortly into a seraphic one; and then again into a demoniac face.

I find from this that life has never presented itself to me as a matter of conduct, but as a material for criticism; that I have refused to have convictions; that I have defended nothing entirely and condemned nothing wholly; that I have found good in everything from certain points of view, and bad in everything from certain other points of view; that I have made it a matter of calculation, arbitrarily to find for the bad in anything an equal amount of good, and for the good of bad. I have shown to my own satisfaction that it is never the whole man which commits a fault; that, indeed, it is not so much the man who commits an unique fault, as the universal fault which subjects the man to the tender levities of the human race; that in the worst faults humanity only recognizes itself; and that hatred and punishment are not so much the outgrowth of differences between Society

and the individual, as of a damnable and too-obvious likeness. Mankind torturing its criminals is very ridiculously like an ugly woman taking that pathetic revenge which is expressed by the smashing of mirrors.

It is quite possible, I think, for even the good man to be mistaken; and to be mistaken is a degree worse than to be bad. I have noted that the sinning individual is certainly as apt to be a prophet, as is the virtuous mob to be an army generalled by the good Devil himself; and that I find much that is lovable in the Devil, who, in his dishonor, is admirably honest. Is it not rather tedious to repeat that the younger generation is seldom educated by the older, but rather by the two or three whom the older generation condemned?

I could never approve a law that incarcerates for life because it does not take into account the affecting truth that, as a general rule, a man is only what he was yesterday, and—just as accurately—that tomorrow a man is not at all what he was yesterday; nor does it consider that a man is always a child in his infinite potentiality, never a machine of calculated efficiency. Progress is eked out by men at fifty turning into something very different to what they were at forty-nine; even in the lexicon of senility the law is not "I am," but "I become." Nor could I approve a law which takes life because it does not consider that it is taking, not a life, but a future of which its philosophy cannot dream.

In these matters in which Society takes a high hand, however, it is well to remember that if one cannot rescue oneself from degradation, one can rescue one's degradation from infamy by undergoing it well. I am almost willing to think, too, that it is much better to end a frivolous life in a noble rage, than to live with a purpose and die for nothing but a disease. And we are too little ready, nowadays, to acknowledge the principle by which nothing mitigates so thoroughly as a lack of mitigating circumstances.

Enfin, I find in Christ much of Pierrot, and in Pierrot a great deal that Pierrot would refuse to believe about himself.

THE DOMINANT IDEA

By VOLTAIRINE DE CLEYRE.

ON EVERYTHING that lives, if one looks searchingly, is limned the shadow line of an idea—an idea, dead or living, sometimes stronger when dead, with rigid, unswerving lines that mark the living embodiment with the stern, immobile cast of the non-living. Daily we move among these unyielding shadows, less pierceable, more enduring than granite, with the blackness of ages in them, dominating living, changing bodies, with dead, unchanging souls. And we meet, also, living souls dominating dying bodies—living ideas regnant over decay and death. Do not imagine that I speak of human life alone. The stamp of persistent or of shifting Will is visible in the grass-blade rooted in its clod of earth, as in the gossamer web of being that floats and swims far over our heads in the free world of air.

Regnant ideas, everywhere! Did you ever see a dead vine bloom? I have seen it. Last summer I trained some morning-glory vines up over a second-story balcony; and every day they blew and curled in the wind, their white, purple-dashed faces winking at the sun, radiant with climbing life. Higher every day the green heads crept, carrying their train of spreading fans waving before the sun-seeking blossoms. Then all at once some mischance happened,—some cut-worm or some mischievous child tore one vine off below, the finest and most ambitious one, of course. In a few hours the leaves hung limp, the sappy stem wilted and began to wither; in a day it was dead,—all but the top which still clung longingly to its support, with bright head lifted. I mourned a little for the buds that could never open now, and pitied that proud vine whose work in the world was lost. But the next night there was a storm, a heavy, driving storm, with beating rain and blinding lightning. I rose to watch the flashes, and lo! the wonder of the world! In the blackness of the mid-NIGHT, in the fury of wind and rain, the dead vine had flowered. Five white, moon-faced blossoms blew gaily round

the skeleton vine, shining back triumphant at the red lightning. I gazed at them in dumb wonder. Dear, dead vine, whose will had been so strong to bloom, that in the hour of its sudden cut off from the feeding earth, it sent the last sap to its blossoms; and, not waiting for the morning, brought them forth in storm and flash, as white night-glories, which should have been the children of the sun.

In the daylight we all came to look at the wonder, marveling much, and saying, "Surely these must be the last." But every day for three days the dead vine bloomed; and even a week after, when every leaf was dry and brown, and so thin you could see through it, one last bud, dwarfed, weak, a very baby of a blossom, but still white and delicate, with five purple flecks, like those on the live vine beside it, opened and waved at the stars, and waited for the early sun. Over death and decay the Dominant Idea smiled: the vine was in the world to bloom, to bear white trumpet blossoms dashed with purple; and it held its will beyond death.

Our modern teaching is, that ideas are but attendant phenomena, impotent to determine the actions or relations of life, as the image in the glass which should say to the body it reflects: "*I* shall shape *thee*." In truth we know that directly the body goes from before the mirror, the transient image is nothingness; but the real body has its being to live, and will live it, heedless of vanished phantoms of itself, in response to the ever-shifting pressure of things without it.

It is thus that the so-called Materialist Conception of History, the modern Socialists, and a positive majority of Anarchists would have us look upon the world of ideas,—shifting, unreal reflections, having naught to do in the determination of Man's life, but so many mirror appearances of certain material relations, wholly powerless to act upon the course of material things. Mind to them is in itself a blank mirror, though in fact never wholly blank, because always facing the reality of the material and bound to reflect some shadow. To-day I am somebody, tomorrow somebody else, if the scenes have shifted; my Ego is a gibbering phantom, pirouetting in the

glass, gesticulating, transforming, hourly or momentarily, gleaming with the phosphor light of a deceptive unreality, melting like the mist upon the hills. Rocks, fields, woods, streams, houses, goods, flesh, blood, bone, sinew,—these are realities, with definite parts to play, with essential characters that abide under all changes; but my Ego does not abide; it is manufactured afresh with every change of these.

I think this unqualified determinism of the material, is a great and lamentable error in our modern progressive movement; and while I believe it was a wholesome antidote to the long-continued blunder of Middle Age theology, viz., that Mind was an utterly irresponsible entity making laws of its own after the manner of an Absolute Emperor, without logic, sequence, or relation, ruler over matter, and its own supreme determinant, not excepting God (who was himself the same sort of a mind writ large)—while I do believe that the modern reconception of Materialism has done a wholesome thing in pricking the bubble of such conceit and restoring man and his "soul" to its "place in nature," I nevertheless believe that to this also there is a limit; and that the absolute sway of Matter is quite as mischievous an error as the unrelated nature of Mind; even that in its direct action upon personal conduct, it has the more ill effect of the two. For if the doctrine of free-will has raised up fanatics and persecutors, who assuming that men may be good under all conditions if they merely wish to be so, have sought to persuade other men's wills with threats, fines, imprisonments, torture, the spike, the wheel, the axe, the fagot, in order to make them good and save them against their obdurate wills; if the doctrine of Spiritualism, the soul supreme, has done this, the doctrine of Materialistic Determinism has produced shifting, self-excusing, worthless, parasitical characters, who are *this* now and *that* at some other time, and anything and nothing upon principle. "My conditions have made me so," they cry, and there is no more to be said; poor mirror-ghosts! how could they help it! To be sure, the influence of such a character rarely reaches as far as that of the principled persecutor;

but for every one of the latter, there are a hundred of these easy, doughy characters, who will fit any baking tin, to whom determinist self-excusing appeals; so the balance of evil between the two doctrines is *about* maintained.

What we need is a true appraisement of the power and *rôle* of the Idea. I do not think I am able to give such a true appraisement: I do not think that any one—even *much* greater intellects than mine—will be able to do it for a long time to come. But I am at least able to suggest it, to show its necessity, to give a rude approximation of it.

And first, against the accepted formula of modern Materialism, "Men are what circumstances make them," I set the opposing declaration, "Circumstances are what men make them;" and I contend that both these things are true up to the point where the combating powers are equalized, or one is overthrown. In other words, my conception of mind, or character, is not that it is a powerless reflection of a momentary condition of stuff and form, but an active modifying agent, reacting on its environment and transforming circumstances sometimes slightly, sometimes greatly, sometimes, though not often, entirely.

All over the kingdom of life, I have said, one may see dominant ideas working, if one but trains his eyes to look for them and recognize them. In the human world there have been many dominant ideas. I cannot conceive that ever, at any time, the struggle of the body before dissolution can have been aught but agony. If the reasoning that insecurity of conditions, the expectation of suffering, are circumstances which make the soul of man uneasy, shrinking, timid, what answer will you give to the challenge of old Ragnar Lodbrog, to that triumphant death-song hurled out, not by one cast to his death in the heat of battle, but under slow prison torture, bitten by serpents, and yet singing: "The goddesses of death invite me away—now end I my song. The hours of my life are run out. I shall smile when I die"? Nor can it be said that this is an exceptional instance, not to be accounted for by the usual operation of general law, for old King Lodbrog the Skalder did only what his fathers

did, and his sons and his friends and his enemies, through long generations; they set the force of a dominant idea, the idea of the superascendant ego, against the force of torture and of death, ending life as they wished to end it, with a smile on their lips. But a few years ago, did we not read how the helpless Kaffirs, victimized by the English for the contumacy of the Boers, having been forced to dig the trenches wherein for pleasant sport they were to be shot, were lined up on the edge, and seeing death facing them, began to chant barbaric strains of triumph, smiling as they fell? Let us admit that such exultant defiance was owing to ignorance, to primitive beliefs in gods and hereafters; but let us admit also that it shows the power of an idea dominant.

Everywhere in the shells of dead societies, as in the shells of the sea-slime, we shall see the force of purposive action, of intent *within* holding its purpose against obstacles *without*.

I think there is no one in the world who can look upon the steadfast, far-staring face of an Egyptian carving, or read a description of Egypt's monuments, or gaze upon the mummied clay of its old dead men, without feeling that the dominant idea of that people in that age was to be enduring and to work enduring things, with the immobility of their great still sky upon them and the stare of the desert in them. One must feel that whatever other ideas animated them, and expressed themselves in their lives, this was the dominant idea. *That which was* must remain, no matter at what cost, even if it were to break the everlasting hills: an idea which made the live humanity, beneath it, born and nurtured in the coffins of caste, groan and writhe and gnaw its bandages till in the fullness of time it passed away: and still the granite mould of it stares with empty eyes out across the world, the stern old memory of the *Thing-that-was*.

I think no one can look upon the marbles wherein Greek genius wrought the figuring of its soul without feeling an apprehension that the things are going to leap and fly; that in a moment one is like to be set upon by heroes with spears in their hands, by serpents that will coil around him; to be trodden by horses that

may trample and flee; to be smitten by these gods that have as little of the idea of stone in them as a dragon-fly, one instant poised upon a wind-swayed petal edge. I think no one can look upon them without realizing at once that those figures came out of the boil of life; they seem like rising bubbles about to float into the air, but beneath them other bubbles rising, and others, and others,—there will be no end of it. When one's eyes are upon one group, one feels that behind one, perhaps, a figure is uptoeing to seize the darts of the air and hurl them on one's head; one must keep whirling to face the miracle that appears about to be wrought—stone leaping! And this though nearly every one is minus some of the glory the old Greek wrought into it so long ago; even the broken stumps of arms and legs live. And the dominant idea is Activity, and the beauty and strength of it. Change, swift, ever-circling Change! The making of things and the casting of them away, as children cast away their toys, not interested that these shall endure, so that they themselves realize incessant activity. Full of creative power, what matter if the creature perished. So there was an endless procession of changing shapes in their schools, their philosophies, their dramas, their poems, till at last it wore itself to death. And the marvel passed away from the world. But still their marbles live to show what manner of thoughts dominated them.

And if we wish to know what master-thought ruled the lives of men when the mediæval period had had time to ripen it, one has only at this day to stray into some quaint, out-of-the-way English village, where a strong old towered Church yet stands in the midst of little straw-thatched cottages, like a brooding mother-hen surrounded by her chickens. Everywhere the greatening of God, and the lessening of Man: the Church so looming, the home so little. The search for the spirit, for the *enduring* thing (not the poor endurance of granite which in the ages crumbles, but the eternal), the etenal,—and contempt for the body which perishes, manifest in studied uncleanliness, in mortifications of the flesh, as if the spirit should have spat its scorn upon it.

Such was the dominant idea of that middle age which has been too much cursed by modernists. For the men who built the castles and the cathedrals, were men of mighty works, though they made no books, and though their souls spread crippled wings, because of their very endeavors to soar too high. The spirit of voluntary subordination for the accomplishment of a great work, which proclaimed the aspiration of the common soul, that was the spirit wrought into the cathedral stones; and it is not wholly to be condemned.

In waking dream, when the shadow-shapes of world-ideas swim before the vision, one sees the Middle-Age Soul an ill-contorted, half-formless thing, with dragon wings and a great, dark, tense face, strained sunward with blind eyes.

(To be continued.)

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LIGHT AND SHADOWS IN THE LIFE OF AN AVANT-GUARD

By EMMA GOLDMAN.

DENVER is not unlike a prison. Its inhabitants, too, have been sent there "to do time." That which makes the position of the prisoner preferable, is the consolation that the State will feed him and that some day his time will expire. The majority of Denverites have no such cheerful outlook. Although arriving there with hopes of a speedy return, it's usually imprisonment for life.

We all know the paralizing effect of the daily grind for existence, even for most of us who can boast an average physique. How much more paralizing must it be for those who go to Denver as a last resort to rescue life from its downward path?

Under such conditions and in such an atmosphere people are not interested in abstract ideas. "To hell with Bebel's speech," said the consumptive in "Sanin," in reply to the query of his companion enthused over the latest word-battle in the Reichstag. "I am interested in one thing—Life, and how long I may still see the sky, the stars."

Artzibasheff, himself a victim of tuberculosis, understands the psychology of these people only too well.

And yet, those who attended our meetings in Denver must have been interested. Else they would not have come, night after night. Or was it merely to get away from the grim reality? If so, I am happy to have furnished that opportunity, even though it was but for the moment.

The Ferrer lecture and the one on "Marriage and Love" brought the largest audience. Particularly the latter. Sex is a vital factor, after all; few people realize how very vital it must be for the exiles of Denver.

Fair newspaper treatment of an Anarchist is as scarce as light in the life of the avant-guard. One must therefore consider it an event if three papers in one city, during almost a week, devoted columns to *verbatim* reports of Anarchistic lectures, not to forget the extraordinary discovery of the dramatic critic of the Denver *Times,* to wit: "Emma Goldman is being treated as an enemy of society because, with Dr. Stockman, she is pointing out the ills and defects of society." O, for the naivety of an American dramatic critic! As if that was not the crime of all crimes, to point to the swamps of society.

CHEYENNE.—Even woman's votes have failed to affect the grey matter of the police. Yet my sisters still believe in the miraculous power of woman suffrage. Wyoming can boast women politicians, but the police are just as stupid as in other States, and a little more, as our dear editor has already described in a delightfully humorous comment in the April issue. I shall, therefore, only add that the danger signal was hoisted in Cheyenne by the Acting Mayor. The poor fellow was quite a nonentity in his town. To make himself conspicuous, he set the town afire, and when the smoke was over, he found he had only burned his own fingers. By noon of the day after our arrest the "hero" came slinking into our lawyer's office, whining, "Please, sir, I'll be good. I'll never do it again." As for the majesty of the law, four meetings instead of the original two, and the sale of a quantity of literature, helped to make her majesty appear pretty flat and silly.

I cannot close this very important chapter without expressing our thanks to the faithful few in Denver, who

came to the rescue the moment they heard of our arrest. The money they sent helped us to reimburse, in a small measure, the attorney who was instrumental in setting the dislocated funny bone of the Acting Mayor.

SALT LAKE CITY.—The Mormon husband may be as agreeable around the house as the Christian dears, but as builder of cities the Mormons are certainly superior.

I have traveled through the length and breadth of this very Christian country, but I know of no city that can compare with the stronghold of the Mormons. Nothing mean about these people, whatever else they may be. They could not indulge in many wives if they were small or miserly. No wonder they are so generous with their city.

Spacious, beautifully laid out, and spotlessly clean, Salt Lake City has much more the appearance of an European than an American city, where every inch of ground is mutilated for business purposes. As regards public buildings, the Mormons are almost as extravagant as in the number of wives. Quite a variety of them, each one a joy to the eye.

My dear old friend Thurston Brown (who lost a fat church because he dared, as few did, give reasons for Czolgosz's act), together with Comrade Cline, of Salt Lake City, arranged two meetings, which proved the most successful of the second part of our tour. The audiences were large and remarkably appreciative, which was best proved by the quantity of literature purchased.

A drive into the glorious country surrounding Salt Lake City, with Comrade and Mrs. Cline, added to our short but delightful visit to the Mormons.

RENO, NEV.—The divorce mill of America. What a farce the marriage institution is, anyway. Here are thousands of women flocking to Reno, to buy their freedom from one owner in order to sell it more profitably to another. Thus a well known lady married the second man four hours after she was divorced from the first. These respectable women do have it easy. No heartache, no soul agony of the free woman, who suffers a thousand torments in the transitory period between an old and new experience. Just a piece of paper bought for so many dollars, and all is proper. What shallowness, what terrible hypocrisy. Yet these same respectable ladies of

Reno hold up their hands in holy horror when they hear of a free relationship of the free woman, who would never think of giving herself to any man, except when she loves. Some of these good women were perfectly scandalized when Emma Goldman registered in the same hotel. No, they could not stand for that. Either they or Emma Goldman must go. And the hotel keeper, poor lackey. The ladies have money; never mind their lack of character, or provincialism. Emma Goldman was told to get out. It would have been surprising if she hadn't. Respectability is indeed a shallow thing.

The greatest farce of Reno, however, is that in democratic America divorce is but an exclusively aristocratic privilege. The poor women, thousands of them, abused, insulted, and outraged by their precious husbands, must continue a life of degradation. They have no money to join the colony in Reno. No relief for them. The poor women, the slaves of the slaves, must go on prostituting themselves. They must continue to bear children in hate, in conflict, in physical horror. The marriage institution and the "sanctity of the home" are only for those who have not the money to buy themselves free from both, even as the chattel slave from his master.

Reno, the divorce mill of America, needed more than any other place to learn the cause of the failure of marriage and the meaning of love. Not the kind that is bought and sold, but the kind that is free as the elements to give itself in abundance or to deny itself in the same measure.

The beginning was made in Reno. I spoke on Anarchism, and on Marriage and Love. What I said may have been Greek to some. But that a few did understand, their faces betrayed. Theirs was the expression of the blind beholding the light of day for the first time.

To accomplish this much it was worth going even to Reno. The supreme effort of the avant-guard is onward, ever onward.

ANARCHIST SYMPOSIUM

TOLSTOY.

TOLSTOY asks how it is that the people submit to oppressive governments, and answers that it is owing to "a highly artificial organization, created with the help of scientific progress, in which all men are bewitched into a circle of violence from which they cannot free themselves. At present this circle consists of four means of influence; they are all connected and hold each other, like the links of a chain."

The first means is the "hypnotization of the people," leading them to the erroneous opinion that the existing order is unchangeable and must be upheld, while in reality it is unchangeable only by its being upheld." It is accomplished by "fomenting the two forces of superstition called religion and patriotism."

The second means that the State employs is the bribery of a small class, to which it gives official positions and special privileges.

The third means is intimidation, which "consists in setting down the present State order—of whatever sort, be it a free republican order or be it the most grossly despotic—as something sacred and unchangeable, and imposing the most frightful penalties upon every attempt to change it.

The fourth means is to "separate a certain part of all the men, whom they have stupefied and bewitched by the three first means, and subject these men to special, stronger forms of stupefaction and bestialization, so that they become will-less tools of every brutality and cruelty that the government sees fit to resolve upon." "Intimidation, bribery, hypnosis, bring men to enlist as soldiers. The soldiers, in turn, afford the possibility of punishing men, plundering them in order to bribe officials with the money; hypnotizing them, and thus bringing them into the ranks of the very soldiers on whom the power for all this is based."

Tolstoy is positive that the conditions that he describes so graphically cannot endure much longer, for he says: "To-day every man who thinks, however little, sees the impossibility of keeping on with the life hitherto lived, and the necessity of determining new forms of life."

To those who fear that it will be impossible for the masses to come together and co-operate without a State center around which to gather, he replies that danger of isolation no longer exists. "The means of intercourse have developed extraordinarily. For the forming of societies, associations, corporations; for the gathering of congresses and the creation of economic and political institutions, governments are not needed; nay, in most cases, they are rather a hindrance than a help toward the attainment of such ends."

With remorseless logic Tolstoy points out that the same objections that are made to the forcible rule of the few hold good as against the attempts of the many to overthrow that rule by force. He insists that the existing régime is to be wrecked, not by revolutionary enemies from outside, but by passive resistance from within; men refusing to do at the behest of the ruling powers that which their consciences tell them is unjust and wrong; and he points out that already in Russia men are refusing on these very grounds to pay taxes, to take the general oath of allegiance, to exercise police functions, and to serve in the army.

In a word, Tolstoy conceives that the great change for which he longs can be brought about only by a previous change in our conceptions, knowledge, and aims; by our taking larger and wiser views of the meaning of life, and that the way to quicken such change—which must come sooner or later—is, first, to speak out our opinions with perfect frankness, and, secondly and still more important, to act up to our convictions.

As regards the first he says: "If we would only stop lying and acting as if we did not see the truth; if we would only testify to the truth that summons us and boldly confess it, it would at once turn out that there are hundreds, thousands, millions of men in the same situation as ourselves; that they see the truth like us; are afraid, like us, of remaining isolated if they confess it, and are only waiting, like us, for the rest to testify to it."

To enforce his argument that it is most important of all that we should make our lives square with our convictions, he uses the following illustration: "Men in their present situation are like bees that have left their hive and are hanging on a twig in a great mass. The

situation of the bees on the twig is a temporary one and absolutely must be changed. They must take flight and seek a new abode. Every bee knows that, and wishes to make an end of its own suffering condition and that of the others, but this cannot be done so long as the others do not help. But all cannot rise at once, for one hangs over another and hinders it from letting go; therefore all remain hanging. One might think that there was no way out of this situation for the bees, and there would be none, were it not that each bee is an independent living being. But it is only needful that one bee spread its wings, rise and fly, and after it the second, the third, the tenth, the hundredth, for the immobile hanging mass to become a freely flying swarm of bees."

He gives another forcible illustration along the same line of thought: "The passage of men from one order of life to another does not take place steadily, as the sand in the hour-glass runs out, one grain after another from the first to the last, but rather as a vessel that has been sunk into water fills itself. At first the water gets in only on one side, slowly and uniformly; but then its weight makes the vessel sink, and now the thing takes in, all at once, all the water that it can hold."

I have left to the last the consideration of Tolstoy's views on the subject of property, although they seem to some the most important part of his teaching, because, as has been shown already, Tolstoy deprecates all endeavors to dictate the mould in which the society of the future shall be cast, saying that it will be "as circumstances and men shall make it." But Tolstoy is the strongest of Communists, believing that the law of love, on which he bases all his views of life (since he holds that it alone gives us true happiness) requires that we should at all times be willing to share our possessions.

He declares that it is a "crime that tens of thousands of hungry, cold, deeply degraded human beings are living in Moscow, while I, with a few thousand others, have tenderloin and sturgeon for dinner, and cover horses and floors with blankets and carpets. He considers himself "an accomplice in this unending and uninterrupted crime so long as I still have a superfluous bit of bread while another has no bread at all." He further explains that the evil significance of property is specially felt in the

case of such things as are necessary to the production of wealth, and notably as regards land and tools—a position in which the Socialists will all agree with him—showing that the propertyless is thus compelled to hand over more and more of the products of his toil to the non-worker. The dependence of the poor on the rich becomes most prominent when we pass to a consideration of money, for, as the saying is, "he who has money has in his pocket those who have none."

In direct line with his main attack on government, as being the incarnation of force, Tolstoy points out, in passage after passage, that the dominion of the propertied rests on physical force. "If men hand over the greatest part of the product of their labor to the capitalist or landlord, though they, as do all laborers now, hold this to be unjust," this is done "only because they know they will be beaten and killed if they do not."

He declares his belief that the existing régime will be replaced by societies in which men will be held together by the mutual respect which, by an inherent characteristic of human nature, men who are less advanced in knowledge always pay to those whom they recognize as more advanced, and that in this subordination there is nothing irrational or self-contradictory, for "the man who yields to a mental influence acts according to his own wishes."

This last sentence shows how basic with Tolstoy is his objection to all external rule, his insistence throughout being that the individual must act in accordance with the dictates of his own reason. It must be stated, however, that Tolstoy distinctly refuses, even more emphatically than does Proudhon, to map out the future, his answer to the question of the form that it will take being: "The future will be as circumstances and men shall make it. We are not at this moment able to get perfectly clear ideas of it. The details of a new order of life cannot be known to us; they have to be worked out by ourselves. Life consists only in learning to know the unknown, and putting our action in harmony with the new knowledge. In this consists the life of the individual, in this the life of human societies and of humanity."

But he is certain that the change that lies before us will be an approach to the truth and its realization. "How

can the forms in which truth appears be brought to naught by an approach to the truth? They will be made different, better, higher, but by no means will they be brought to naught. Only that which was false in the forms of its appearance hitherto will be brought to naught; what was genuine will but unfold itself the more splendidly." Thus Tolstoy, who has a profound belief in the wisdom, beneficence, and righteousness of the entire scheme of life, is the most optimistic of revolutionists.

Nevertheless he faces the questions that are asked as to what defense there will be against enemies when the State shall have disappeared. As regards the protection against bad men, he says that they are not "special creatures like the wolf among the sheep, but just such men as all of us, who like committing crimes as little as we do," and he adds, "we know that the activity of governments, with their cruel forms of punishment, which do not correspond to the present stage of morality; their prisons, tortures, guillotines, contributes more to the barbarizing of the people than to their culture, and hence rather to the multiplication than to the diminution of such criminals."

The army and the police are those who render the régime of property possible. "If there did not exist these men who are ready to discipline or kill any one whatever at the word of command, no one would dare assert, as the non-laboring landlords do so confidently, that the soil which surrounds the peasants who die off for lack of land is the property of a man who does not work on it." "It would not come into the head of the lord of the manor to take from the peasants a forest that has grown up under their eyes, nor would any one say that the stores of grain accumulated by fraud in the midst of a starving population must remain unscathed that the merchant may have his profit."

"Man lives not to be served but to serve, and in exerting his powers for others he finds the most complete realization of his highest and truest individuality."

We have given much space to Tolstoy because he is unquestionably the foremost writer of the day, and his honesty and power are alike beyond cavil. In this combination lies the secret of his strength.

LIBERAL OPPONENTS AND CONSERVATIVE FRIENDS OF UNABRIDGED FREE SPEECH.*

BY THEODORE SCHROEDER.

IN the present contest for the unabridged freedom of speech guaranteed by our Constitutions, the sources of irritation and agitation are three. The first is Socialist groups, among which the most acute recent crisis came in Spokane, Washington. The issue there was one of time, place, and manner, rather than a question of the subject matter of the offending speeches. No doubt, the real secret motive behind the police activity was a vague hatred and fear of Socialism, but no definite issue was made over the right to advocate any specific doctrine. The only issue tendered by the authorities was as to the right to use the streets for purposes of agitation, and the right to conspire to violate alleged ordinances regulative of street oratory. These issues are of practical importance, as a means to an end for those wishing to use this method of propagating their tenets, but seldom offer definite controversy over *free speech principles,* such as are capable of academic discussion.

The second source of free speech agitation has come chiefly through my own effort in defense of freedom of sex-discussion, which naturally lead me to a consideration of the right to advocate other doctrines of disapproved, and even criminal, tendencies. Here definite statements of principles are asserted and denied. On these issues some of our liberal friends have taken sides, and their contentions will be somewhat discussed. My consideration of the right to advocate crime connects me in a subordinate way with another center of free speech interests.

The third focus of irritation in relation to free speech is Emma Goldman, in her effort to secure a hearing for Anarchism. The reason assigned for suppressing Emma Goldman's speech is the fear that evil consequences will come as the result of her utterances. It is believed that these evils arise directly from her intellectual attack upon religion, the legally maintained family, and from her

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*Condensed from a lecture delivered before the Brooklyn Philosophical Association, March 13, 1910.

attacks upon our economic structure and coercive government.

It is claimed that because of these elements, or of some of them, her speeches have a *tendency* to lawlessness and riot. It is seldom claimed, and never truthfully claimed, that any riots have followed her speeches. Once she was convicted and punished on the pretense of inciting to riot, though no riot occurred. The official justification for suppressing Emma Goldman is in effect the assertion of a rightful power officially to suppress in advance of utterance, and punish after the fact, all discussions which are suspected or believed, even remotely and indirectly, to produce evil results. (However, I am glad to see that the hysteria over Miss Goldman and Anarchism is subsiding a little.)

The issues and arguments thus presented by the suppression of Miss Goldman, and of sex-discussion, should be fairly and frankly answered, or supported by our liberal friends. It seems to me that this has not been done, and I am going to call attention to this record for the purpose of exhibiting what seem to me to be the evasions and mistakes my liberal friends have made, in the hope that some may be dissuaded from the repetition of their folly, which may have been induced by an excessive zeal for retaining a speaking acquaintance with respectability.

One of the first essays I wrote in defense of freedom for sex-discussion was a paper presented to the XV International Medical Congress held in Lisbon, Portugal.[1] There I argued that the only thing common to all "obscenity," is a subjective emotional condition. In other words, I tried to make a scientific demonstration that unto the pure all things are pure. Later, I wrote of obscenity and witchcraft as twin superstitions, asserting that both would cease to be when people ceased to believe in them. Now let us see how our liberal friends met the argument made in support of that contention.

OUR LIBERAL EDITORS.

The Truth Seeker, probably the best of our Agnostic papers, editorially expressed its unconscious desire to

[1]) See Proceedings, also *Albany Law Journal,* July, 1906.

help Mr. Comstock. The late editor wrote: "We have little confidence in this argument and would enjoy seeing it demolished."[2] I promptly sent the editor another copy of the essay and a letter requesting that he demolish the argument, by pointing out errors of fact or logic. Profound silence was the only answer. However, other liberal friends were not disposed of so easily.

The editor of *Secular Thought,* the best free thought paper published in Canada, wrote: "In our humble opinion, such an argument is childish in the extreme,"[3] but he did not even attempt to answer it.

Dr. Robinson, who edits several magazines and claims to be a "sane radical," without criticising my argument assured his readers that "This argument is exceedingly childish."[4] He also thought a popular dogmatism was a sufficient answer.

Mr. Comstock showed himself to be in entire harmony with these dogmatizing liberals. He comments in these words: "It is all right, from the mere standpoint of debate and discussion, to theorize and say that there is no such thing as an obscene book or picture. The man who says it simply proclaims himself either an ignoramus, or is so ethereal that there is no suitable place on earth for him."[5] In a letter to me he explained that he was too busy to point out defects in my argument.

HAVELOCK ELLIS' STUDIES IN PSYCHOLOGY OF SEX.

Since these liberals thought it unadvisable to answer my argument, and were satisfied merely to express their emotional disapproval of my conclusions, I may content myself with an approving quotation, from one who does not advertise his radicalism, but is a mere scientist and happens to be the world's most famous sexual psychologist. The following words are from his last (sixth) volume of "Studies in the Psychology of Sex:" 'Anything which sexually excites a prurient mind is, it is true, 'obscene' *for that mind,* for, as Mr. Theodore Schroeder remarks, obscenity is 'the contribution of the reading

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[2]) *Truth Seeker,* June 29, 1907.
[3]) *Secular Thought,* August, 1907, p. 312.
[4]) *Altruria,* June, 1907, p. 1.
[5]) *The Light,* January, 1907, p. 61.

mind.' "[6] I think with this endorsement of my conclusion, and my unanswered argument, I can let this issue rest.

Dr. Robinson made argumentative comment which is in the nature of a confession and avoidance. He wrote: "And so [as in the case of beauty and ugliness] it is in regard to obscenity. The thing in itself is not obscene; in the midst of the desert, or at the bottom of the sea, it is not obscene. But if it induces some people, however small a number, to commit indecent, unhealthy things, then that thing *is* indecent, and no amount of sophistry can do away with the fact."[7] He of course fails to see that he is only restating the argument formerly made in support of witchcraft. How absurd for a man with some of the credentials of a scientist, to argue that something which is not obscene in itself can be made so by vote. Had he read my argument intelligently he would have seen that by his last test even "Uncle Tom's Cabin" comes under his condemnation as an obscene book.

There is another type of comment upon my argument, also in the nature of a confession and avoidance because it does not attack the argument itself, but which deserves more explicit criticism than it has hitherto received. The matter is well presented by the editor of *Secular Thought,* who no doubt believed he had delivered a stunning blow when he wrote this: "Would Mr. Schroeder take a virtuous and modest lady friend to a Seeley dinner? If not, why not? The lady would not see anything obscene, because nothing objectively obscene exists, and consequently she would not blush or be shocked in the least. Would he take home a brutal coarse-mouthed jade from the Bowery and expect his wife to be entertained by her filthy jests? Would he show a number of so-called 'obscene' transparent picture-cards to his daughters and expect them to be edified thereby? Have Free Speech extremists made an alliance with Christian Scientists?"[8]

If a woman is afflicted with the modesty of prurient prudery, then I would not take her either to a Seeley dinner or to the Metropolitan Museum of Art. If she was modest only in the sense of having a clean healthy mind and body, I might take her to either place. Such

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[6]) Studies in the Psychology of Sex, Vol. 6, p. 54.
[7]) *Altruria,* —— 1907, p. 2.
[8]) *Secular Thought,* Aug., 1907, p. 312.

a woman as I have postulated has viewed her own body without shame, or injury to herself, and would not be any more injured by other sights of mere nudity in art or nature. The experience of art students in life studies is a proof. If I refused to take a woman to a Seeley dinner, it would not be because there was any obscenity in the mere nudity of the dancer, but on account of the probable obscenity in the mind of other spectators, and who, by reason thereof, might make themselves disagreeable. It is these disagreeable experiences which come from associating with the coarse-mouthed jade of the Bowery, or the spiritualized sensualism of the lewd purists, or the impudence of the avowed voluptuary, which alone makes truly decent people avoid nudity, when such are around. It is not the obscenity in the nudity, but that obscenity which is in the minds of some excessively lewd co-spectators, which I would seek to avoid, for myself and for my women friends. It is evident, therefore, that the questions propounded by the editor of *Secular Thought* do not in the least degree impair or answer my argument.[9]

VARIOUS CONCEPTIONS OF FREEDOM.

From the comment presently to be quoted it appears that these editors, like Mr. Comstock, believe in a limited liberty by permission and do not see that my only object is to secure an unabridged and an unabridgable freedom of utterance as a matter of constitutionally guaranteed, natural right. I am opposed to all mere psychologic crimes; they are not. Failing to see this difference, they scold me for injuring this cause of freedom because I am asking for a liberty which they are willing to destroy. One of these editors thus condemned my effort to secure unabridged freedom of utterance: "We certainly look for and work for more liberal laws than those under which we live at present, but we imagine they can only be enacted through an enlightened public sentiment, and we think their advent will be retarded rather than assisted by such ultra-rationalism as that of Mr. Schroeder."[10]

Dr. Robinson scolded me for seeking the *unabridged*

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[9]) See Psychologic Study of Modesty in *Medical Council,* January, 1909.

[10]) *Secular Thought,* Aug., 1907, p. 311.

right to hear and read, which by the constitution is guaranteed to me and every other adult. This is what he said: "I wish to add that you would do the cause of free press a much greater service if you admitted openly that you do draw the line at nasty 'literature' and filthy 'art,' the purpose of which is exclusively to pander to the vices of immature youths and degenerate *roués*. If you claim that we must not draw the line anywhere, you destroy your usefulness, and rational normal people cease to consider you seriously."[11]

So strenuous is he in his insistence that I should be content with a limited intellectual liberty as a matter of permission only, that he even thought it necessary to falsify my contention. In an article on "What we would have to maintain to find favor with certain 'Radicals,'" he wrote a paragraph manifestly intended for me. It reads thus: "That there is no such thing as obscenity, and that all the pornographic filth sold secretly to young boys and old *roués* is *pure and noble literature*, and is declared filthy only by mentally strabismic and over-sensitive purists."[12]

The editor of *The Humanitarian Review*, in order to justify himself in the matter of abridging my freedom to read what I please, was unconsciously driven to adopt the Anarchist position that the co-operation of which the State is the embodiment, has its moral justification only in the consent of the entire community. He wrote: "There is not, never was, and never can be such a thing as *absolute* liberty or freedom (of speech or other kind of human conduct) of men in association. * * * * * Society has the right, by *his own agreement with it, to restrain him from doing* (*or saying, if you will*) things harmful to society or any of its individual members."[13] If I denied ever having made such an agreement, I suppose this "rationalist" would tell me I was simply ignorant of what I had done in a former incarnation.

Thus this "liberal" editor justifies every persecution which has ever blighted the human intellect, for all persecutors have claimed that the persecuted one uttered

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[11]) *Altruria*, June, 1907, p. 3.
[12]) *Altruria*, March, 1908. (Italics are mine. T. S.)
[13]) *Humantarian Review*, September, 1908, p. 108.

something "harmful to society." If by that phrase he had meant an actually realized material injury, he would have agreed with me. But he is evidently willing to punish imaginary and constructive injuries.

SIR OLIVER LODGE ON OBSCENITY.

Now let me contrast the foregoing views with those of mere conservative scientists and thinkers who believe in more intellectual liberty than these radicals whom I have quoted. Sir Oliver Lodge recently said: "And lower than these [trashy, cheap novels] there lurks in holes and corners pernicious trash written apparently with the object of corrupting youth—if that horrible and barely human suggestion can be tolerated; but this is not literature, nor does it pretend to be, or if it does, it can only do so by obvious cant. *The way to root out this abomination is to cultivate the soil round the growing organism, to strengthen the phagocytes of its own system, to make it immune to the attacks of vermin.*"[14]

I will quote another who had similar views, and yet was so conservative and respectable that even Mr. Comstock says he ought to have known better:

"The tares of error must be left to grow in the same field with the wheat of truth, 'until the harvest'—that is, until they bear their natural fruits and their true character reveals itself *in actual deeds*—when they may be rooted up, in the persons of those who illustrate them, and cast into the fiery furnace of the law!"[15]

THE NUPTIAL OF FILTH AND AGNOSTICISM.

I am now going to quote a few paragraphs from authors who imagined themselves to be great antagonists, and I am sure that few could guess their names, merely from reading the following extracts, or, knowing their names, few could guess which part belongs to each.

"Suppose some man has been indicted, and suppose he is guilty. Suppose he has endeavored to soil the human mind. Suppose he has been willing to make money by pandering to the lowest passions in the human breast.

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[14]) *Fortnightly Review,* Feb. 1910, p. 264. (Italics are mine. T. S.)

[15]) Oliver Johnson, *Orange Jour.* N. J., Aug. 24, 1878, requoted from "Frauds Exposed."

What will that [defense] committee do with him then? We will say, 'Go on; let the law take its course. * * * * * There is not a man here but is in favor, when these books and pictures come into the control of the United States, of burning them up when they are manifestly obscene. You don't want any grand jury there. * * * * * It is easy to talk right—so easy to be right, that I never care to have the luxury of being wrong." * * *

"I believe in liberty as much as any man who breathes. * * * * Every man should be allowed to write, publish, and send through the mails his thoughts upon any subject, expressed in a decent and becoming manner."[16]

"I accord to every man the fullest scope for his views and convictions. He may shout from the housetop, or print them over the face of every fence and building for all I care."

"There never had been a man arrested under these laws, except for sending obscene and immoral articles or advertisements through the mails; there was but one reason why these laws should be repealed, and that was, because it interfered with their infamous traffic, and prevented these scoundrels from using the mails of the United States for their base purposes."[17]

"I am not in favor of the repeal of those laws. I never have been, and I never expected to be."[18]

"It is a question, not of principle, but of means."[19]

Thus Ingersoll and Comstock are quite in harmony that something ought to be suppressed by arbitrary and lawless power, without accusation or trial. However, they were not agreed as to all that should be included within the arbitrary power. Ingersoll as a lawyer saw that frequently evil results came from the fact that obscenity could not be defined. He sought to remedy this by having the statute so amended as to make intent the essence of the offence. When the motive of the accused was to benefit society, no matter how mistaken he might be, Ingersoll would acquit. This much is to be credited to his generous impulses. He did not see that courts would have wiped out such a statute by saying that the accused

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[16]) Ingersoll, As He Is, pp. 124-128-129-131-116.
[17]) "Frauds Exposed," by Anthony Comstock, pp. 402-420-421.
[18]) Ingersoll, As He Is, p. 129.
[19]) Ingersoll, As He Is, p. 132.

must be presumed to have intended the evil consequences, which a hostile judge would imaginatively and prospectively ascribe to the indicted literature, as the natural consequences of the act of the accused person.

Ingersoll failed to see another thing. In proposing to punish a man for having an evil intention, independent of any actual and material injury having flowed from it, he too was getting back to the evil basis of all persecution, namely a proposal to punish the mere psychologic crime of having an evil state of mind which had actually injured no one. That Ingersoll should have been guilty of this does not speak well for his intellect. Of this proposition I shall have more to say later on.

LIBERALS ON THE RIGHT TO ADVOCATE CRIME.

I soon saw that the Constitutions made no exception for any particular class of intellectual "evils," but protected them all alike, so long as the mere utterance of one's sentiments was the only factor involved. Thus the advocate of crime might be punished as an accessory before the fact if a crime actually resulted from his advocacy, but could not be punished for his utterance, merely as such. Upon this proposition several of my radical friends took more or less definite issue with me. Mr. Edwin C. Walker, who usually sees very clearly in such matters, yet failed to see the importance of a precedent allowing one exception to unabridged freedom, wrote the following words:

"Even to argue for the right or alleged right to advocate the performance of criminal acts, on the ground that without unrestricted freedom for such advocacy of invasion the right to liberty of expression is denied, is to sacrifice essential substance to empty form. * * * * * *What may or may not be a theoretical right in the premises is relatively unimportant; what is important, is the fact that to insist that we have such a right* is to menace and cripple our defensible right of expression, to seriously limit, if not destroy, our opportunity to teach and persuade. It is enough for us to affirm the right and benefit of the utmost freedom for the discussion of all suggested peaceful changes in belief and society, and to keep it ever before all the authorities that in the long run their tenure of office depends far more on non-

interference with even the most incendiary utterance than on suppression of that utterance."[20]

A century ago, when a similar argument was made for the unimportance of a little tax levied for the support of a particular church, Dr. Priestly made the answer that "A penny of a tax is a trifle, but a power imposing that tax is never considered as a trifle, because it may imply absolute servitude in all who submit to it." The few who may care to exercise the right to advocate what everybody else admits an evil may be relatively unimportant, but the power to suppress them merely on account of a speech the evil tendency of which is only speculatively, prospectively, and imaginatively ascertained, is the admission of a power to enslave the mind of all, and upon all subjects. Our Constitutions make no distinction.

Mr. Walker is very much interested in the question of freedom for sex-discussion. I can best show the evil of his admitting the power to suppress any mere expression of opinion by quoting an address made before the National Purity Federation by the Rev. Charles Carverno. He said:

"Let us look at a case that is somewhat plain. The police of this city will break up a gathering and prohibit speeches whose intent, or evident tendency, is to excite to acts of Anarchy. Why should not the same attitude be observed and the same action taken when a play is put on the boards whose tendency is to cultivate indifference to sex crime? There is sex Anarchy as well as political or civic Anarchy. It is as important that society be protected against the one as against the other. The family, and that too predominately monogamic, is older than the State—it is the MORE basic condition and relation." [21] Thus do Mr. Walker's chickens come home to roost, if I may adapt that homely proverb. We need to learn the solidarity of all liberty.

Mr. Louis Post, who edits the best American newspaper devoted to fundamental democracy, attacks my argument more directly. He said: "To us it seems that the man who so advises another to commit a

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[20]) Liberty and Assassination, by E. C. Walker. (Italics are mine. T. S.)

[21]) *The Light*, Nov. 1906, p. 236.

crime as to make himself an accessory before the fact, if the crime be actually committed, should be criminally liable though the crime be not committed." * * * "If it be destructive of freedom of speech to punish advocacy of crime when the crime advocated does not result, then it must be destructive of freedom of speech to punish advocacy of crime when the crime advocated does result. * * * Without the criminal intent, of course they should not be [punished]. But with the criminal intent, why not punish, whether the intended injury occurs or not?" [22]

ON PUNISHING UNDESIRABLE STATES OF MIND.

Like Ingersoll, in the case of "obscenity," Post, in the case of advocacy of crime, would punish a mere undesirable state of mind, although no actual or material injury to any one has actually resulted therefrom. According to my way of thinking, this proposition implies the uttermost limit of outrage upon liberty of conscience. If there exists a power which can punish any mere psychologic "crime," I see no reason why it may not punish every other psychologic offense, for then no limit exists which ignorance, passion, or idiosyncrasy need respect.

Montesquieu tells us of a case of inquisition to discover, and punish, a man for having an unpopular state of mind. He says: "Marsyas dreamed that he had cut Dionysius's throat. Dionysius put him to death, pretending that he would never have dreamed of such a thing by night if he had not thought it by day. This was a most tyrannical action, for though it had been the subject of his thoughts, he had made no attempt toward it. The laws do not take upon them to punish any but overt acts." [23] This inference as to a "criminal" state of mind was no less logical than those which usually underlie the determination of criminal intent. It was as proper to punish that unpopular state of mind, or desire, as though it had been ascertained by other evidence.

But that was in Greece about fifteen hundred years ago, and yet substantially the same thing occurred

[22]) *The Public*, May 15, 1908, pp. 147-148.
[23]) Spirits of the Laws, V. I., p. 232, Aldine edition.

only a few centuries ago, though the "undesirable" state of mind was revealed in a little different manner. Fabian, in his Chronicle, tells us of a Welshman "drawen, hanged, and quartered for prophesying of the kyng his Majesties death."[24] But why not, if any mere state of mind, unaccompanied by actual injury, can be made a subject of criminal punishment?

If under obscenity laws we may punish the expression, or promotion in others, of an undesirable state of mind, why not punish the existence of such an undesirable state of mind even before verbal expression? Why wait until the harm of publicity is achieved? Then why not establish inquisitions to discover the existence of such undesirable states of mind and punish them? We already compel immigrants to disclose their mental condition, and if they have that undesirable state of mind known as non-resistant Anarchism we punish them, by denying them admittance to the United States. If we admit the existence of a power to punish any mere state of mind, any mere psychologic offense, entirely separate from any actual injury to any one, then it becomes a mere matter of legislative discretion to determine what states of mind shall be punishable, and a mere matter of judicial speculation how the existence of the prohibited state of mind shall be discovered, or proven. I cannot agree with these radical friends that such a power either ought to be, or is vested in any body of American legislators. In this matter I prefer to stand with those eminent and conservative gentlemen whom I shall now quote in support of my own contention. These are some of the conservative friends of *unabridged* freedom of utterance as a matter of acknowledged natural right.

LORD MACAULAY.

"The true distinction [between persecution and punishment] is perfectly obvious. To punish a man because he has committed a crime, or is believed, though unjustly, to have committed a crime is not persecution. To punish a man because we infer from the nature of some doctrine which he holds, or from

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[24]) See end of Fabian's Chronicle, which he nameth the Concordance of Histories.

the conduct of other persons who hold the same doctrines with him, that he will commit a crime, is persecution; and is, in every case, foolish and wicked. * * *

"Let it pass, however, that every Catholic in the kingdom thought that Elizabeth might be lawfully murdered. Still the old maxim, that what is the business of everybody is the business of nobody, is particularly likely to hold good in a case in which a cruel death is the almost inevitable consequence of making any attempt." [25]

"It is altogether impossible to reason from the opinions which a man professes to his feelings and his actions and in fact no person is such a fool as to reason thus, except when he wants a pretext for persecuting his neighbors. * * * It was in this way that our ancestors reasoned, and that some people in our own time still reason about the Catholics. A Papist believes himself bound to obey the pope. The pope has issued a bull deposing Queen Elizabeth. Therefore, every Papist is a traitor. Therefore every Papist ought to be hanged, drawn, and quartered. To this logic we owe some of the most hateful laws that ever disgraced our history. Surely the answer lies on the surface. The church of Rome may have commanded them to do many things which they have never done. She enjoins her priests to observe strict purity. You are always taunting them with their licentiousness. * * * When we know that many of these people do not care enough for their religion to go without beef on a Friday for it, why should we think that they will run the risk of being racked and hanged for it?" [26]

A. J. WILLARD.

"The most general office of speech is to reproduce the thoughts and feelings of one in others. In this sense the liberty of speech is absolute, according to *the principles of the law.* It is impossible to conceive of an actionable wrong existing solely on the ground that one has attempted to impart his thoughts and feelings to another, unless some public law affords such remedy, or *unless such speech is accompanied by*

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[25]) Macaulay's "Civil Disabilities of the Jews."
[26]) Macaulay's "Civil Disabilities of the Jews."

some action that is an aggression on the rights of another. * * *

"It [speech] is a means of combining and constituting the common or mutual action of individuals, and, therefore, must be examined as among the means of performing such actions as depend upon co-operation. It would follow that, when an action is unlawful, speech used as a means to such end would partake of that unlawful character. This results from the fact that what is said, as well as what is done, may form a part of a transaction, and thus the lawful or unlawful character imputed to such transaction must affect all the elements of that transaction. Speech in this way may be part of the means of connecting the action of rioters or conspirators against governments. It may even point the nature and tendency of the actions which it accompanies, and thus become a means of conferring upon them the legal character of lawfulness or unlawfulness. * * *

"In all these cases, even where the character of what is spoken determines the legal character of what is done, *it is the act alone that can convert the mere use of words into violations of right.* Again, speech may be used for purposes of deception, and in that case, as in the cases previously mentioned, *the act of wrong is not consummated by the speech alone, but by the action produced by the speech.*

"In the instance of slander, words uttered may be atttended by consequences rendering them injurious to the right of character. *In these cases the wrong consists in what is actually or presumably done by individuals, by society at large, or by the community, as a consequence of words spoken;* the words in such a case being the cause of injurious consequences, are regarded as in themselves injurious." [27]

SIR LESLIE STEPHENS.

"The doctrine of toleration requires a positive as well as a negative statement. It is not only wrong to burn a man on account of his creed, but it is right to encourage the open avowal and defense of every

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[27]) "The Law of Personal Rights," pp. 349-351, by Willard. (Italics are mine. T. S.)

opinion sincerely maintained. Every man who says frankly and fully what he thinks, is so far doing a public service. We should be grateful to him for attacking most unsparingly our most cherished opinions. * * * Toleration, in fact, as I have understood it, is a necessary correlative to a respect for truthfulness. So far as we can lay it down as an absolute principle that every man should be thoroughly trustworthy and therefore truthful, we are bound to respect every manifestation of truthfulness. * * *

"A man must not be punished for openly avowing any principles whatever. * * * Toleration implies that a man is to be allowed to profess and maintain any principles that he pleases; not that he should be allowed in all cases to act upon his principles, especially to act upon them to the injury of others. No limitation whatever need be put upon this principle in the case supposed. I, for one, am fully prepared to listen to any arguments for the propriety of theft or murder, or if it be possible, of immorality in the abstract. No doctrine, however well established, should be protected from discussion. The reasons have been already assigned. If, as a matter of fact, any appreciable number of persons are so inclined to advocate murder on principle, I should wish them to state their opinions openly and fearlessly, because I should think that the shortest way of exploding the principle and of ascertaining the true causes of such a perversion of moral sentiment. Such a state of things implies the existence of evils which cannot be really cured till their cause is known, and the shortest way to discover the cause is to give a hearing to the alleged reasons." [28]

I will quote another who, though not to be classified as a conservative, was yet conservative enough to be elected to the English Parliament. In America he would have been denounced as an "undesirable citizen" and treated as an object of suspicion.

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[28]) Sir Leslie Stephens, on "The Suppression of Poisonous Opinions," published in *The Nineteenth Century,* March and April, 1883. (If memory serves me rightly, Leslie Stephens was a clergyman and was knighted after this utterance. But as to these matters I may be wrong. T. S.)

AUBERON HERBERT.

"Of all the miserable, unprofitable, inglorious wars in the world is the war against words. Let men say just what they like. Let them propose to cut every throat and burn every house—if so they like it. We have nothing to do with a man's words or a man's thoughts, except to put against them better words or better thoughts, and so to win in the great moral and intellectual duel that is always going on, and on which all progress depends." [29]

I think I have made it plain that there are scientists and other thoughtful persons who believe in freedom of utterance as an unabridgable right, while some professing radicals believe in it only as an abridgable liberty—by permission. In this respect I am quite willing to be classed with these conservative non-liberals. [30]

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[29]) Auberon Herbert, *Westminster Gazette,* Nov. 22, 1893.

[30]) For a more elaborate defense of my views on the precise point here involved see "The Historical Interpretation of Unabridged Freedom of Speech," in *Central Law Journal,* through March, 1910.

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